

REMARKS

Applicant has carefully reviewed the Official Action dated April 21, 2006 for the above identified patent application.

Although no objection to the Specification was raised in the Official Action, enclosed herewith is a Substitute Specification which adds the usual sub-headings to the different sections of the Specification. Also enclosed is a copy of the prior version of the Specification, marked to show the revisions made by the Substitute Specification. Applicant represents that the enclosed Substitute Specification is directed merely to matters of form, and does not add any new matter to this patent application.

At page 2 of the Official Action, Claims 1 - 2 have been rejected under 35 U.S.C. Section 102(b) as being anticipated by Wanner et al (U.S. Patent No. 4,002,347). For the reasons discussed below, Applicant respectfully submits that Wanner et al does not teach or suggest the invention defined by Claims 1 - 2, and requests that the rejection be reconsidered and withdrawn.

It is initially noted that Applicant has amended the form of Claims 1 and 2. However, the amendments to Claims 1 and 2 presented herein are directed exclusively to matters of form, and are not intended to make any substantive revisions to the scope of original Claims 1 and 2.

The Wanner et al patent is directed to a small handheld drill, and not a rock drilling machine for which the impact adapter disclosed and claimed by Applicant is directed. The handheld drill disclosed by Wanner et al is subject to smaller forces than the rock drilling machines used in connection with the impact adapter disclosed and claimed by Applicant. Thus, there is a significant difference between the subject matter to which the Wanner et al patent is directed, and the subject matter to which Applicant's impact adapter is directed. Moreover, Wanner et al does not disclose an impact adapter for a connection to a drill string, but discloses only a drill bit. Accordingly, the subject matter to which Wanner et al is directed and the manner in which the drill disclosed by Wanner et al operates, is significantly different from the impact adapter disclosed and claimed by Applicant which is used to transfer impacts and rotation of a rock drilling machine to a drill string.

Applicant respectfully submits that the differences between the impact adapters defined by Applicant's Claims 1 and 2 and the disclosure of the Wanner et al patent, as discussed above, are sufficient to overcome the prior art rejections of Claims 1 and 2.

Additionally, independent Claim 1 expressly recites that grooves at the end of the second end section of the adapter facing away from the first end section of the adapter increase in width in a direction away from the first end section of the

adapter. This feature of Applicant's invention is not disclosed or suggested by the Wanner et al patent. The grooves 14, referred to in the Official Action, are merely twisted, or perhaps widened in a radial direction. Wanner et al clearly does not teach or suggest grooves which are widened in a tangential direction, namely, grooves which increase in a direction away from the first end section of the impact adapter, as expressly recited in independent Claim 1.

Independent Claim 2 expressly recites that the ridges on the second end section of the impact adapter decrease in radial extension in a direction away from the first end section of the impact adapter. Applicant respectfully submits that there is clearly no disclosure in the Wanner et al patent teaching or suggesting ridges which decrease in radial extension in a direction towards the end of the second end section and away from the first end section of the impact adapter.

For the reasons discussed herein, Applicant respectfully submits that Wanner et al does not teach or suggest the features of Applicant's claimed invention in which an impact adapter has grooves which increase in width at an end of a second end section in a direction away from a first end section (Claim 1), and ridges which decrease in radial extension at the end of the second end section in a direction away from the first end section (Claim 2). As discussed more fully in Applicant's specification, the claimed features of the invention define an impact adapter

overcoming a problem in the prior art by providing an impact adapter which decreases breakage of ridges adjacent the rear end of the impact adapter by decreasing the surface pressure between the impact adapter and the driver. The disclosure of the Wanner et al patent does not recognize the problem to which Applicant's improved impact adapter is directed, nor does it teach or suggest the structure and structural arrangement of the impact adapter, as disclosed and claimed by Applicant, for overcoming this problem.

Claims 1 and 2 have been rejected as being anticipated by the Wanner et al patent. It is well established law that a rejection of a claim as being anticipated by a prior art reference requires a strict identity of invention between the applied reference and the rejected claims. Stated in other words, a rejection of a claim as being anticipated by a prior art reference is improper unless a single prior art reference discloses all features of the rejected claim, as arranged in the rejected claim. See, for example, Connell v. Sears Roebuck & Co., 220 USPQ 193 (Fed. Cir. 1983).

In the instant case, it is clear that there is no strict identity of invention between the disclosure of the Wanner et al patent and the impact adapters defined by Claims 1 and 2, and therefore Claims 1 and 2 are clearly not anticipated by Wanner et al. Moreover, as a result of the significant differences in structure and structural arrangement between the impact adapters

defined by Applicant's claims 1 and 2, and the disclosure of the Wanner et al patent, it is also clear that Wanner et al does not suggest the claimed impact adapters or, as noted above, recognize the problem in the art to which Applicant's improved impact adapters are directed.

Applicant respectfully submits that Claims 1 and 2 are allowable over the prior art applied in the Official Action, and that this patent application is in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark P. Stone' with a stylized flourish at the end.

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